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THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

RUSSELL GREER,

Plaintiff,

v.

JOSHUA MOON, *et al.*

Defendants.

**DEFENDANTS' NOTICE OF
SUPPLEMENTAL AUTHORITY RE:
MOTION AT ECF NO. 196**

Case No. 2:24-cv-00421-DBB

District Judge David Barlow
Magistrate Judge Jared C. Bennett

NOW COME the Defendants, by and through undersigned counsel, and file this Notice of Supplemental Authority with respect to their pending Motion to Exclude Undisclosed Witnesses and Evidence. ECF No. 196.

On January 13, 2025, Mr. Greer provided undersigned counsel with the attached "Amended initial disclosure evidence list for Greer v. Moon, 2:24-cv-00421-DBB-JCB." ECF No. 215-1.¹ It is not apparent from the "Amended initial disclosure" that there is any document or other item of evidence that came into Mr. Greer's possession recently, or which Mr. Greer was not aware by the Court's most recent (extended) December 16, 2024 deadline for producing initial disclosures. ECF No. 189.

Defendants' position remains that Mr. Greer is subject to an excluding undisclosed witnesses and evidence or that the Court should enter case-ending sanctions for the

¹ Because Mr. Greer's "Amended initial disclosure evidence list" is undated, the defense also attaches the transmittal email. ECF No. 215-2.

reasons set forth at ECF No. 196. Alternatively, and only in the event that the Court finds there was good cause for Mr. Greer's belated January 13, 2025 initial disclosure in this 2020 civil action, this Court should exclude any additional as-yet-undisclosed documents or evidence.

DATED January 13, 2025

HARDIN LAW OFFICE

/s/ Matthew D. Hardin

Matthew D. Hardin

Attorney for Defendants